



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
9900 SOUTHWEST 107 AVENUE, SUITE 203
MIAMI, FLORIDA 33176

Regulatory Division
South Permits Branch
Miami Regulatory Office

JAN 05 2009

PUBLIC NOTICE

Permit Application No. SAJ-2005-1272 (IP-MIR)
(Revised)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: D'Asign Developments LLC
c/o Amedeo D'Ascanio
11500 Overseas Highway
Marathon, Florida 33050

WATERWAY & LOCATION: The project is located on an undeveloped lot on Coco Plum Drive adjacent to the Atlantic Ocean; legally described as Block 21, Lot 15, of the Coco Plum Beach plat book in Section 05, Township 66 South, Range 33 East, Coco Plum Beach, Monroe County, Florida (MM ±54.2). RE# 00366240-000000

Directions to the site are as follows: Take U.S. 1 South to MM ±54.2; Turn left on Coco Plum Drive; Property located on Coco Plum Drive between Avenue F & G on the Atlantic side; West of Royal Plum Condominium at 133 Coco Plum Drive.

LATITUDE & LONGITUDE: Latitude 24.727195 North
Longitude 81.007508 West

PROJECT PURPOSE:

Basic: The basic purpose is to build four single-family residences at the subject site.

Overall: The overall purpose is to construct four single family residences within Monroe County, Florida.

PROPOSED WORK: The applicant proposes to construct four single-family residences resulting in the placement of 850 cubic yards of fill within a 20,700 square feet jurisdictional area and a 3,150 square feet preservation area adjacent to the road.

Avoidance and Minimization Information: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: A silt fence shall be installed around the perimeter of the project during construction to minimize impacts to adjacent wetland areas.

Compensatory Mitigation: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: Evaluation of the final wetland mitigation proposal will be based on the Keys Mitigation Index Guidelines (KeyMig). Time lag and risk will be a required component of any mitigation requirement.

EXISTING CONDITIONS: The project is located on Coco Plum Beach. The parcel is situated between a developed single-family residence and an undeveloped lot. The wetland system consists of a saltmarsh system. The onsite vegetation consists of buttonwoods (*Conocarpus erectus* L.), sea purslane (*Sesuvium portulacastrum*), Sea oxeye daisy (*Borrchia frutescens*) and white mangroves (*Laguncularia racemosa*). The lot is located adjacent to the Atlantic Ocean which supports a vegetated beach berm area. The shoreline is unimproved and been designated as a sea turtle nesting area.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the proposed project **may affect, but is not likely to adversely affect** the loggerhead sea turtle (*Caretta caretta*). The Corps will request Fish and Wildlife Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act. The real estate parcel number is 00366240-000000 and **is not** on the U.S. Fish and Wildlife Service suitable Habitat List, dated August 2006, for Monroe County.

ESSENTIAL FISH HABITAT (EFH): Not applicable.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Maria Riestra at the letterhead address, by electronic mail at maria.i.riestra@usace.army.mil, by fax at 305-526-7184, or by telephone at 305-779-6057.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Service, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

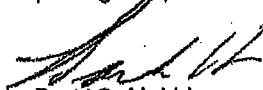
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

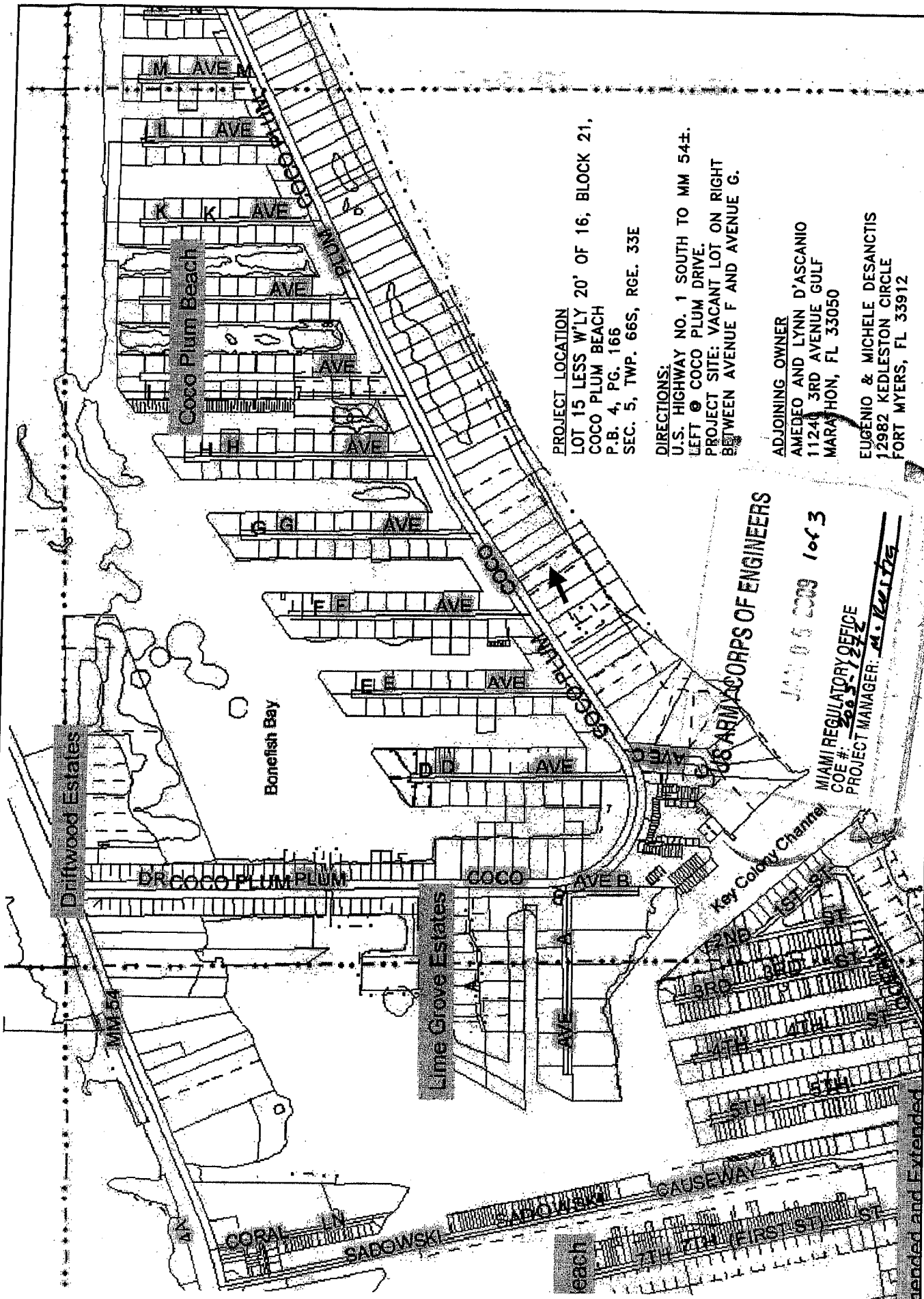
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The JS Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


David S. Hobbie
Regulatory Division



PROJECT LOCATION
 LOT 15 LESS W'LY 20' OF 16, BLOCK 21,
 COCO PLUM BEACH
 P.B. 4, PG. 166
 SEC. 5, TWP. 66S, RGE. 33E

DIRECTIONS:
 U.S. HIGHWAY NO. 1 SOUTH TO MM 54±.
 LEFT @ COCO PLUM DRIVE.
 PROJECT SITE: VACANT LOT ON RIGHT
 BETWEEN AVENUE F AND AVENUE G.

ADJOINING OWNER
 AMEDEO AND LYNN D'ASCANIO
 11244 3RD AVENUE GULF
 MARATHON, FL 33050

EUGENIO & MICHELE DESANCTIS
 12982 KEDLESTON CIRCLE
 FORT MYERS, FL 33912

US ARMY CORPS OF ENGINEERS

JAN 06 2009 1043

MIAMI REGULATORY OFFICE
 COE #: 2005-12572
 PROJECT MANAGER: M. K. K. K.

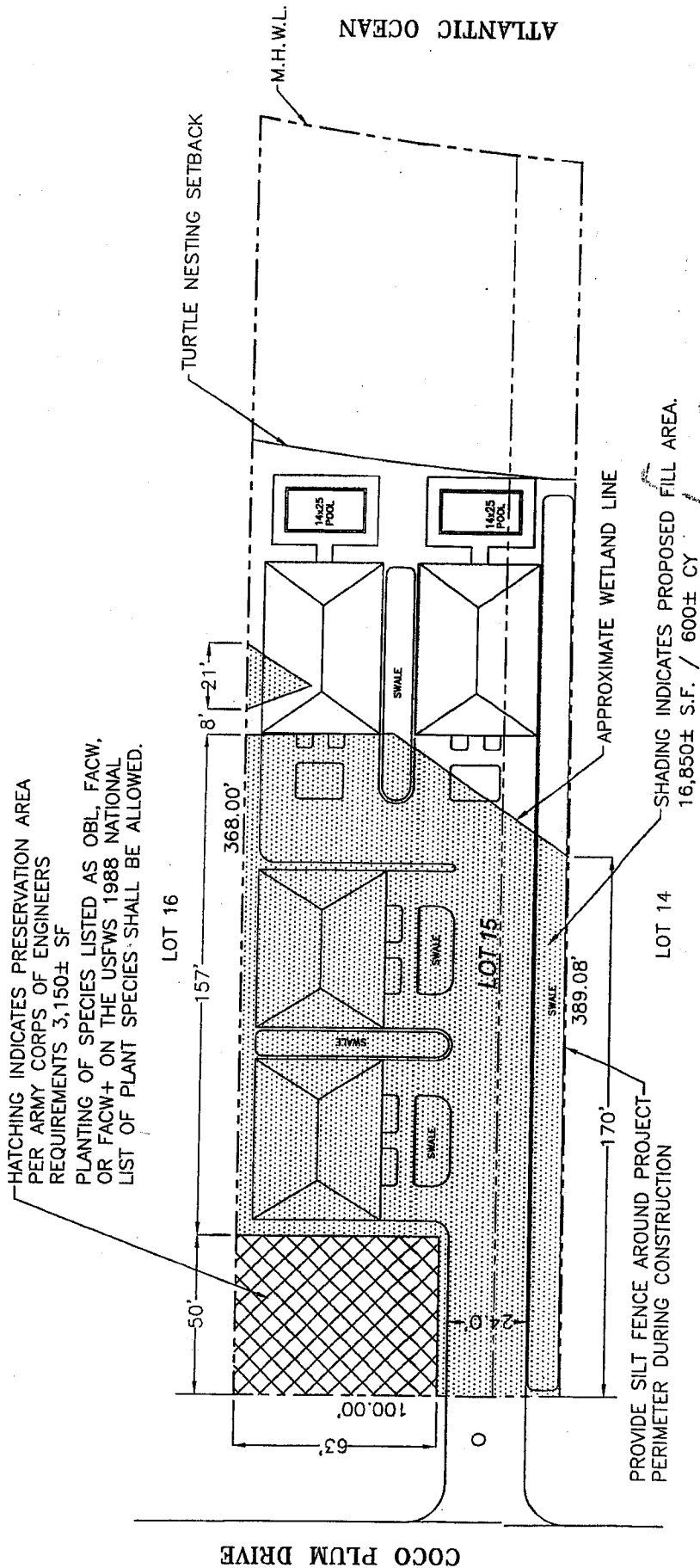
FILL FOR RESIDENCES FOR D'ASIGN DEVELOPMENTS LLC
 LOT 15 & PT OF 16, BLOCK 21, COCO PLUM BEACH
 MARATHON, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
 5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33060
 Telephone (305) 743-9121 Fax (305) 743-9137
 Email: glenboe@bellsouth.net

DATE: 10/10/08

LOCATION & VICINITY MAP
 SCALE: AS SHOWN

REVISIONS:



SITE PLAN
SCALE: 1" = 50'

US ARMY CORPS OF ENGINEERS

JAN 05 2009 2 43

MIAMI REGULATORY OFFICE
COE # 2006-1732
PROJECT MANAGER: N. Z. 12/17/07

DATE: 10/10/08

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellicouth.net

FILL FOR RESIDENCES FOR D'SIGN DEVELOPMENTS LLC
LOT 15 & PT OF 16, BLOCK 21, COCO PLUM BEACH
MARATHON, MONROE COUNTY, FL

CERTIFIED BY:
SEAN KIRWAN, P.E. #57506

REVISIONS

COCO PLUM DRIVE

ATLANTIC OCEAN

M.H.W.L.

TURTLE NESTING SETBACK

APPROXIMATE WETLAND LINE

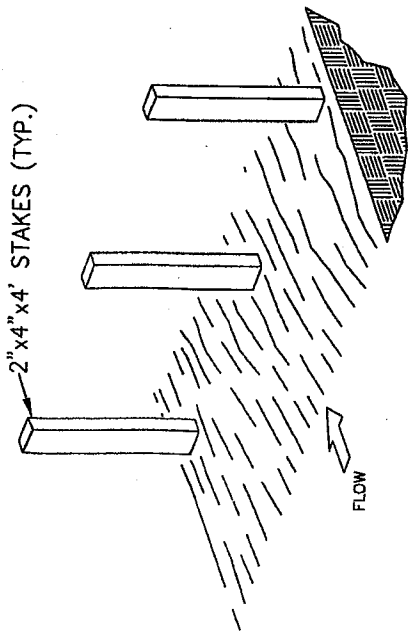
SHADING INDICATES PROPOSED FILL AREA.
16,850± S.F. / 600± CY

LOT 14

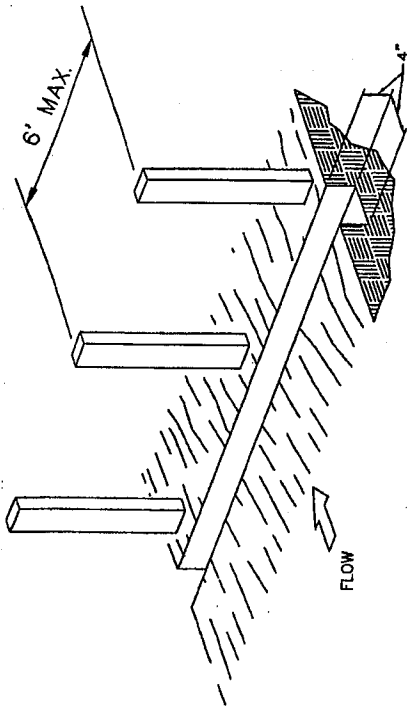
LOT 15

LOT 16

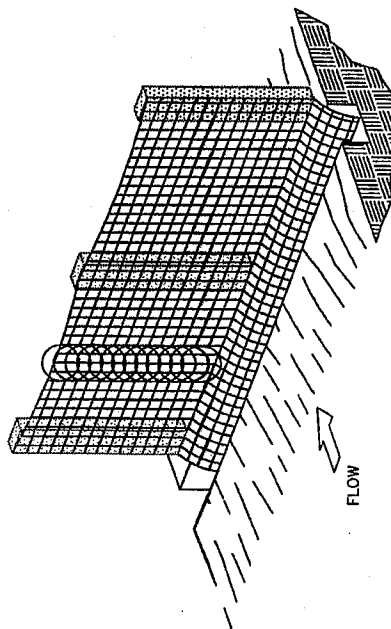




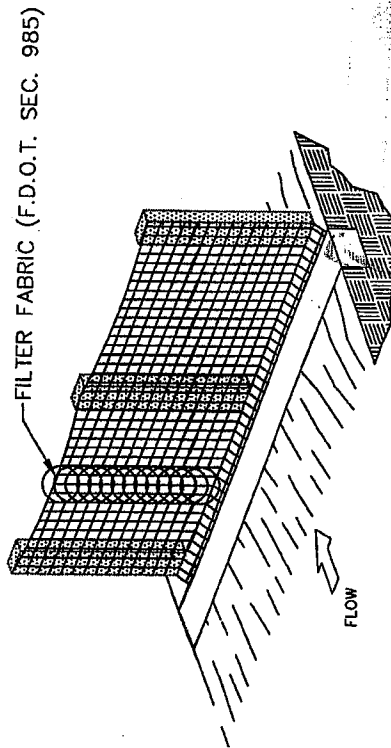
1. SET THE STAKES



2. EXCAVATE A 4"x4" TRENCH UPSLOPE
ALONG THE LINE OF STAKES.



3. STAPLE FILTER MATERIAL TO STAKES
AND EXTEND IT INTO THE TRENCH.



4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

FILTER FABRIC (F.D.O.T. SEC. 985)

US ARMY CORPS OF ENGINEERS

JAN 05 2009 3:43

MIAMI REGULATORY OFFICE

COE #: 2009-12-27
PROJECT MANAGER: M. R. R. R.

F.D.O.T. TYPE III FILTER FENCE

DATE: 10/10/08

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33060
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

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LOT 15 & PT OF 16, BLOCK 21, COCO PLUM BEACH
MARATHON, MONROE COUNTY, FL

CERTIFIED BY:
SEAN KIRWAN, P.E. #57506

REVISIONS: